

\*E-Filed 2/25/13\*

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN FRANCISCO DIVISION

GREG HAYES,

No. C 13-0242 RS (PR)

Petitioner,

**ORDER OF DISMISSAL**

v.

KEVIN CHAPPELLE,

Respondent.

This is a federal habeas corpus action. Petitioner was ordered to, within 30 days, (1) file a complete application to proceed *in forma pauperis* ("IFP"), or (2) pay the filing fee of \$5.00. More than 30 days have passed and petitioner has not filed an IFP application or paid the filing fee. Accordingly, the action is DISMISSED without prejudice. Any motion to reopen must contain either a complete IFP application or the payment for the full filing fee. The Clerk shall enter judgment in favor of respondent, and close the file.

**IT IS SO ORDERED.**

DATED: February 25, 2013

  
RICHARD SEEBORG  
United States District Judge

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